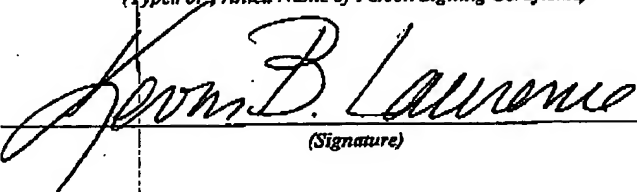



AUG 25 2006

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. 11502/33	
Applicant(s): Blatter				
Application No. 10/706,245	Filing Date November 12, 2003		Examiner Julian W. Woo	Group Art Unit 3731
Invention: STAPLE AND ANVIL ANASTOMOSIS SYSTEM				
BEST AVAILABLE COPY				
I hereby certify that this <u>Amendment and Response to Office Action</u> (Identify type of correspondence)				
is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u>)				
on <u>AUGUST 25, 2006</u> (Date)				
Kevin B. Laurence (Typed or Printed Name of Person Signing Certificate)				
 (Signature)				
Note: Each paper must have its own certificate of mailing.				
Transmitted: Certificate of Transmission by Facsimile (37 CFR 1.8) (1 pg.) Amendment and Response to Office Action (47 pgs.) Amendment Transmittal Letter (1 pg.) Credit Card Payment Form charging the amount of \$2,400 (1 pg.)				
<u>Total Pages Transmitted: 50 pgs.</u>				

P10/R5V02

AUG 25 2006

AMENDMENT TRANSMITTAL LETTER (Small Entity)					Docket No. 11502/33	
Applicant(s): Blatter						
Application No. 10/706,245	Filing Date November 12, 2003	Examiner Julian W. Woo	Customer No. 32642	Group Art Unit 3731	Confirmation No. 6387	
Invention: STAPLE AND ANVIL ANASTOMOSIS SYSTEM						
<u>COMMISSIONER FOR PATENTS:</u>						
Transmitted herewith is an amendment in the above-identified application.						
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27				BEST AVAILABLE COPY		
The fee has been calculated and is transmitted as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	148	80	68	x \$25.00	\$1,700.00	
INDEP. CLAIMS	12	5	7	x \$100.00	\$700.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$2,400.00	
<input type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-2375 <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.						
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
 Kevin B. Laurence Registration No. 38,219 Stoel Rives LLP One Utah Center 201 South Main Street, Suite 1100 Salt Lake City, UT 84111 Telephone: 801-578-6932 Facsimile: 801-578-6999			Dated: <u>August 25, 2006</u> I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence			
cc:						

P115SMALL/REV10

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— VIA FACSIMILE —

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CENTRAL FAX CENTER****AUG 25 2006****PATENT APPLICATION
Docket No.: 11502/33****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Blatter

Serial No.: 10/706,245

Filed: November 12, 2003

For: STAPLE AND ANVIL ANASTOMOSIS SYSTEM

Examiner: Julian W. Woo

Art Unit
3731**AMENDMENT AND RESPONSE TO THE OFFICE ACTION**Commissioner for Patents
P.O. Box 1450
Washington, D.C. 20231

Sir:

Responsive to the Office Action dated July 26, 2006, Applicant respectfully requests entry of the following amendments and reconsideration of the pending claims in view of the remarks herein. Additionally, please contact Applicant's undersigned attorney in the event that any remaining impediment to the prompt allowance of this application is found, which could be clarified by a telephonic interview, or which is susceptible to being overcome by means of an Examiner's Amendment.

08/28/2006 MBINAS 00000021 10706245

01 FC:2202
02 FC:22011700.00 OP
700.00 OP

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Amendments to the claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 44 of this paper.